



SAN BRUNO CITY COUNCIL

REGULAR MEETING

MINUTES

JANUARY 27, 2004

THIS IS TO CERTIFY THAT:

The San Bruno City Council met in Regular Session at the San Bruno Senior Center, located at 1555 Crystal Springs Road. The meeting was called was called to order at 7:00 pm.

ROLL CALL:

Recorded by City Clerk Simon, present were Mayor Franzella, presiding; Vice Mayor O'Connell, Councilmembers Ibarra, Pallas, and Ruane.

PLEDGE OF ALLEGIANCE:

Mayor Franzella asked Police Officer Brad Schimek to lead us in the Pledge of Allegiance.

Mayor Franzella thanked the San Bruno Garden Club for providing the beautiful floral arrangement.

PRESENTATIONS:

On behalf of the City Council and the citizens of San Bruno, Mayor Franzella presented a proclamation honoring Superintendent Thomas Mohr who will be retiring from the San Mateo Union High School District on January 31, 2004. Mr. Mohr thanked the Council and stated he is very proud of the improvements being made now at the Capuchino High School Campus and has enjoyed working with the San Bruno City Council and its very talented staff. He has served in the education field for over 43 years and will miss the contacts he has had with the citizens of San Bruno. Vice Mayor O'Connell stated that Mr. Mohr has been very instrumental in making Capuchino High School a real gem and she sincerely appreciates all his past hard work and effort.

Mayor Franzella presented a 25-year service award and pin to Brad Schimek a San Bruno Police Officer. Officer Schimek thanked the Council for acknowledging this milestone in his career.

ANNOUNCEMENTS:

The Web Development Committee proudly announces the launch date for the "New City of San Bruno Web Site", Friday January 30, 2004. Take the tour www.ci.sanbruno.ca.us and browse through the many new and exciting links that have been added to better serve you.

REVIEW OF AGENDA: Item No. 12 a. was moved up to follow the public hearing item 5.

APPROVAL OF MINUTES: Regular Council meeting of January 13, 2004. Approved as submitted.

CONSENT CALENDAR:

- a. Approve: Payroll of January 16, 2004.
- b. Approve: Accounts Payable of January 5, 2004, (Council Packets only, copies are available for review at the City Clerk's office).
- c. Accept: Reconciliation of General Ledger to bank reports and the Investment reports dated December 31, 2003, as submitted by City Treasurer Karen Hornung.
- d. Approve: Lease agreement between C. Kell-Smith Associates and the City of San Bruno for space in City Hall for the Aircraft Noise Program.

M/S Ruane/Ibarra to approve the consent calendar and passed unanimously.

5. PUBLIC HEARINGS: (NOTICES were published, posted and mailed)

- a. Hold public hearing and approve resolution amending the **Master Fee Schedule**, related to implementing the FY 2003-04 Budget Reduction and Revision Plan and the Performance Standards for approved Alcoholic Beverage Commercial Sales. The Master Fee Schedule is a listing of fees charged for City services other than utilities. **Councilmember Pallas** requested the City Clerk clarify as to whether a non-profit organization playing Bingo once in a while would need to obtain a Bingo License? Clerk Simon stated that only those non-profit groups having **public** fund raising games would need to obtain a Bingo License. Councilmember Pallas requested to know the charges for Fireworks booth permit fees charged by other Cities. Clerk Simon responded that the **only** two other Cities selling fireworks are Pacifica and Dublin and they charge \$758.00 and \$640.00 respectively. **City Manager Jackson** clarified that the total permit fees do not exceed the actual cost to implement the fireworks program. Councilmember Pallas questioned why the new fee of \$750.00 did not cover the cost of inspecting the generators and lighting used by the organizations selling fireworks. **Councilmember Ibarra** feels this is a specialty activity and it involves extra effort by the Fire Department for daily inspections and the Clerk's office to process a very complex application. He stated the organizations could help ease the budget problems by making sure we recover all our cost. He asked the City Manager to explain why the Planning Commission recommendations and City staff recommendations concerning conditional use permit fees from the Community Development Department were not the same amounts? **City Manager Jackson** stated it was only the timing since our recommendation is to implement the Budget Reduction Plan and the Planning Commission was doing an annual review of fees. Mayor Franzella opened the public hearing and asked if anyone wished to address the Council on this issue? No one wished to speak. **M/S Ruane/Ibarra** to close the public hearing and passed unanimously. **Councilmember Ruane** introduced the resolution for adoption and roll call vote taken with **Ayes**, Ruane, Ibarra, O'Connell, and Franzella and **No**, Pallas.
- b. Waive first reading and introduction of **San Bruno Ordinance No. 1689** repealing certain sections of the San Bruno Municipal Code that are contrary to current state law, which no longer permits private gambling clubs. **City Attorney Thompson** clarified that this ordinance will bring the City back in compliance with State Law requirements. **Councilmember Ibarra** said a resident who saw the "Council Highlights" on cable TV, thought we were going to repeal gambling clubs contacted him. **City Attorney Thompson** clarified that only certain sections were being changed and that Artichoke Joe's Casino has been contacted and is in support of this amendment. **Mayor Franzella** opened the public hearing and asked if anyone wished to speak on this matter? With no one requesting to speak, **M/S Ruane/Ibarra** to close the public hearing and passed unanimously. **Councilmember Ibarra** introduced the ordinance for adoption and waived the first reading with roll call vote. **Ayes**, Ibarra, Pallas, Ruane, O'Connell, and Franzella. **No**, none.

Item 12. a. (Moved up early) Receive and approve the **Gaming Club City Council Ad Hoc Committee** (Franzella/Ibarra) recommendations regarding Artichoke Joe's Casino request for continuation of the reduced number of authorized tables subject to City tax. **Ron Cox**, manager of Artichoke Joe's Casino addressed the Council and requested an extension of a lowered number of tables subject to tax not a lower tax. The business has still not recovered from the impacts of the BART construction and the opening of "Lucky Chance Casino" in Colma. Artichoke Joe's continues to be a good neighbor and has recently funded the Parkside After School Sports Program and many youth scholarships for the Parks & Recreation Center. **Councilmember Ibarra** requested to know what is projected to happen to the business after June 30, 2004 when this extension ends? Ron Cox stated he is uncertain due to the "Indian Gaming" impact on card rooms. The Governor is attempting to have the Indian Casinos pay 25% of their income to help fund state services and if that doesn't work, legislation or

ballot initiatives will be introduced to allow race tracks and card rooms to have slot machines. It is too early to tell what will happen. **Vice Mayor O'Connell** requested clarification of the loss in revenues, which would affect the capital improvement budget, not the general fund budget that we are having so much trouble with. **Finance Director O'Leary** confirmed a reduction of \$400,000 would be made to the Capital Improvement Projects and would not have a full impact on the deficit issue. **Vice Mayor O'Connell** asks for the Web Site address and the reply was www.artichokejoes.com. **Councilmember Pallas** asked how many persons were employed at Artichokes Joes and what effect had Casino San Pablo's attempt to convert to an Indian Casino have on Artichoke Joes? The reply was 300 employees with most living locally and it will be unfair competition to other card rooms to have San Pablo become an Indian Casino. **Councilmember Pallas** asked if it would be good for the City of San Bruno revenues if Artichoke Joes had slot machines and Mr. Cox replied it would be terrific. **Councilmember Ibarra** asked how much Artichoke Joes donates to the community each year and Mr. Cox replied at least \$80,000 per year. **M/S Ruane/Pallas** to approve the request through June 30, 2004, and passed unanimously.

6. UNFINISHED BUSINESS:

City Manager Jackson recommends City Council adopt resolution implementing a City of San Bruno **Employee Voluntary Separation Program**. Manager Jackson reviewed the action needed by the Council. The reduction of the City workforce will be necessary to reduce our cost and balance our budget. In order to avoid any mandatory layoffs, the voluntary furlough and voluntary separation program will need to be implemented. **Councilmember Ibarra** stated having an employee working only four (4) hours on a Friday might be a positive action for some employees even though it would reduce their pay. He asked if the employees would still be entitled to their unused vacation and sick pay and it was confirmed that yes in addition to the proposed 12 weeks pay for separation. **Mayor Franzella** stated that even with layoffs the accrued time must be paid to the employees but over time, there would be a salary savings to the City. **Vice Mayor O'Connell** questioned why employees only have until February 14, 2004 to apply? **City Manager Jackson** said there is a desire to save money in this fiscal year ending June 30, 2004 and the action needs to take place as quickly as possible. **Councilmember Pallas** introduced the resolution for adoption and roll call vote taken with all Ayes.

7. CALL FOR, PRESENTATION OF BIDS, and AWARD OF CONTRACT: None

8. COMMUNICATIONS: None

9. STAFF REPORTS:

- a. Public Works Director Munns recommended the City Council receive status report on the implementation of the **"Chloramine Conversion"** for disinfection of water supplies, scheduled for February 2, 2004. **Councilmember Pallas** said a Council Water Ad Hoc Committee meeting was held today and many of his prior questions were answered. He read a letter from resident Alice Foster from Alpine Way, which had several concerns about the use of Chloramines and questioned why are we changing after 100 years. **Jerry Bradshaw, Deputy Director of Public Works** gave an overview of the Chloramine Conversion program and how an outreach program has taken place during the last year. In 1998 the EPA and the PUC made the decision to covert from Chlorine to Chloramine. In 2000 the City Ad Hoc Water Resources Committee agreed to convert the City of San Bruno's system to Chloramine also. All wells, water storage tanks, and distribution system are ready to go. **Phil Hanes, Management Analyst** gave a very detailed presentation of the public outreach program, which has been ongoing for the last twelve (12) months. For more information visit San Bruno's special Web site address www.sanbrunowater.ca.gov or call 650-616-7068. Mr. Hanes introduced public health consultant **Mrs. Charlotte Smith** to answer questions raised by Councilmember Pallas. Mrs. Smith stated that the City of San Bruno deserves an award for the extra comprehensive effort to inform the public. She reviewed California law as it pertains to disinfection and clean water. To meet the new regulations we must make the switch.

- b. Public Works Director Munns recommended that the City Council adopt a resolution authorizing an extension of temporary road closure of a portion of Commodore Drive and Third Street West until April 30, 2004, for the construction of public improvements by **“The Crossings Development.”** **Councilmember Ruane** introduced the resolution for adoption and a roll call vote was taken with all Ayes.
- c. Cable TV Director Gyaltsen recommended that the City Council approve the launch of **High Definition Television (HDTV)** services. In addition to offering more service for our customers, this new tier of programming will keep San Bruno CATV in step with other cable operators and satellite providers. Mr. Gyaltsen gave a complete presentation with overheads and reviewed the funding amounts required to implement this program. The FCC has mandated and requires this conversion by the year 2006. Dish Network and Direct TV are already offering this service. **Councilmember Ruane** asked how soon can we “fire this up?” Director Gyaltsen stated it would take 60 to 90 days and require boxes to be installed. **Councilmember Ibarra** questioned what type of TV would be required? Director Gyaltsen replied that in order to receive HDTV you would need a special HDTV television set not the standard analog set. **Councilmember Pallas** said most TV sets are not HDTV and many customers may be satisfied keeping what they have and they should not be required to pay more for service. Director Gyaltsen said it would not affect current customers not requesting this service. **Mayor Franzella** stated that our customers with HDTV sets cannot receive this service now and will go elsewhere to receive it unless we provide HDTV through San Bruno CATV. **M/S Ruane/O’Connell** to approve recommendation and passed unanimously.
- d. Community Development Director Williams recommended that the City Council adopt resolution amending Plan Development Permit No. 02-02 (**Tanforan Park Shopping Center**) regarding fee deferral agreement and revised dates for commencement of demolishing and construction. Director Williams gave the purpose of this request. **Councilmember Ruane** introduced the resolution for adoption and a roll call vote was taken with all Ayes. Councilmember Ruane asked staff for an update on the construction at Tanforan Shopping Center. Assistant City Manager Rogers stated that Tanforan Shopping Center has planned a groundbreaking ceremony for Monday February 9, 2004, and Tanforan is proceeding with construction.

10. REPORT OF CITY ATTORNEY - RESOLUTIONS & ORDINANCES: None

11. PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Gene May of Crestmoor Drive addressed the Council and stated he is a 44 year resident of San Bruno and has a plan to help solve the budget shortfall. He feels everyone in San Bruno should give \$3.00 and that would give the City \$100,000.00. He presented Finance Director O’Leary a check for \$40.00 to be used for the Fire Department budget and hopes to set an example. Mayor Franzella thanked Mr. May.

12. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

- a. Was moved up after item 5.
- b. **Parks and Recreation Commission** recommended that the City Council adopt resolution updating the Parks and Recreation Commission By-Laws; including adding a Purpose and Intent section and reducing the Commission from ten to nine members. Director Mazzuca reviewed the actions of the Commission and gave the background of this request to amend the By-Laws. Director Mazzuca introduced **Chair Rico Medina** to answer any questions of the Councilmembers. **Councilmember O’Connell** wanted to know how we would keep the San Bruno Park School District informed of the Commission’s activities now that they would not have a board member on the commission? Chair Medina replied that a meeting packet would be provided to the School Superintendent. **Councilmember Pallas** asked if the School Board would

appoint the school board member. **Mayor Franzella** stated that the City Council would make all appointments to this Commission and all members are general and need not be a School Board member. **Councilmember Pallas** asked what comments the San Bruno Park School Board made. Chair Medina replied that the School Board member voted against this proposal; however, vote was 6 to 1 in favor. **Councilmember Ibarra** said he is in favor and stated it has been very difficult to fill the two student representative seats in the past and that this is a better format. **Councilmember Ibarra** introduced the resolution for adoption and a roll call vote was taken with all Ayes. Mayor Franzella thanked the commission for all their hard work.

- c. **City Clerk Simon** recommends City Council set date and time to interview applicants to fill vacancies on committees, boards, and commissions. Currently there are four (4) vacancies to be filled. One (1) on each of the following committees; Traffic Safety & Parking, Citizens Crime Prevention, Community Preparedness, and Caltrain Citizens Advisory. Interviews were set for February 24, 2004 at 6:30 p.m. prior to the regular Council meeting. **Councilmember Ibarra** requested that the City Clerk invite all applicants to the interviews including those that had prior interviews.

13. NEW BUSINESS: None

CLOSED SESSION: None

14. ADJOURNMENT:

With no further business to transact, the meeting was adjourned at 9:00 p.m. to the regular City Council meeting **Tuesday, February 10, 2004**, starting at 7:00 p.m. at the San Bruno Senior Center (1555 Crystal Springs Road).

Respectfully submitted for approval
at the regular City Council meeting
of February 10, 2004.

Ed Simon, City Clerk

Larry Franzella, Mayor